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DISTRICT OF NEVADA	
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7 **UNITED STATES DISTRICT COURT**
 8 **DISTRICT OF NEVADA**

9 SWITCH, LTD.,
 10 a Nevada limited liability company,
 Plaintiff,

11 vs.

12 STEPHEN FAIRFAX; MTECHNOLOGY;
 13 DOES 1 through 10; and ROE ENTITITIES
 14 11 through 20, inclusive,

15 Defendants.

Case No. 2:17-cv-02651-GMN-VCF

16 **ORDER TO EXTEND DISCOVERY**
 17 **DEADLINES**

18 **(First Request)**

19 Case No. 2:17-cv-02651-GMN-VCF

20 Pursuant to LR IA 6-1 and LR 26-4, the parties, by and through their
 21 respective counsel of record, hereby stipulate and request that this Court extend
 22 the current discovery deadlines for all parties to in the above-captioned case for
 23 a period of 90 days. In addition, the parties request that the dispositive motions
 24 and pretrial order deadlines be extended in accordance with the discovery
 25 extension as outlined in this stipulation.

26 In support of this Stipulation and Request, the parties state as follows:

1.0 Discovery Completed to Date

2 To date the parties have completed the following discovery:

3 No discovery has been completed at this time.

4.0 Discovery Remaining to be Completed

5 **2.1** Written discovery needs to be propounded upon Defendants.

6 **2.2** Written discovery needs to be propounded upon Plaintiff.

7 **2.3** Depositions of the parties, possible witnesses, and experts need to
8 be set.

9.0 Reasons(s) Why Discovery has not been Completed

10 Following the Court's order denying Defendants' Motion to Dismiss and
11 Plaintiff's Motion for a Preliminary Injunction (Doc. No. 33), the parties engaged
12 in, and continue to engage in, fruitful settlement negotiations, including an in-
13 person settlement meeting in Boston, Massachusetts. As part of these
14 negotiations, which are ongoing, the parties discussed informal discovery that
15 could potentially resolve or narrow the issues in this case, and decided to
16 postpone formal discovery. On November 6, 2018, the parties decided to
17 resume with formal discovery, but continue to engage in settlement
18 negotiations.

19.0 Proposed Schedule for Completing all Remaining Discovery

<u>Scheduled Event</u>	<u>Current Deadline</u>	<u>Proposed Deadline</u>
Expert disclosures	November 7, 2018	February 5, 2019
Rebuttal expert disclosures	December 7, 2018	March 7, 2019
Discovery cut-off date	January 7, 2019	April 8, 2019
Dispositive motions	February 5, 2019	May 6, 2019
Pretrial order	March 7, 2019	June 5, 2019

1 Applications to extend any date set by the discovery plan, scheduling
2 order, or other order must, in addition to satisfying the requirements of LR IA 6-1,
3 be supported by a showing of good cause for the extension. In accordance
4 with LR 26-4, all motions or stipulations to extend a deadline set forth in a
5 discovery plan shall be received by the Court no later than 21 days before the
6 expiration of the subject deadline.¹ A request made after the expiration of the
7 subject deadline shall not be granted unless the movant demonstrates that the
8 failure to act was the result of excusable neglect. Any motion or stipulation to
9 extend a deadline or to reopen discovery shall include:

- 10 (a) A statement specifying the discovery completed;
- 11 (b) A specific description of the discovery that remains to be completed;
- 12 (c) The reasons why the deadline was not satisfied or the remaining
13 discovery was not completed within the time limits set by the discovery
14 plan; and
- 15 (d) A proposed schedule for completing all remaining discovery.

16 It is not good cause for a late request to extend discovery that the parties
17 informally postponed discovery. No stipulations are effective until approved by
18 the Court, and “[a]ny stipulation that would interfere with any time set for
19 completion of discovery, for hearings of a motion, or for trial, may be made only
20 with approval of the Court.” See LR 7-1(b).

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¹ The Scheduling Order (Doc. No. 31) specifies that stipulations or motions to modify the discovery
plan “must be made not later than December 17, 2018.”

1 IT IS SO STIPULATED.
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Dated this 7th day of November, 2018.

4 RANDAZZA LEGAL GROUP, PLLC

5 /s/Ronald D. Green

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Switch, Ltd

14 RANDAZZA | LEGAL GROUP

15 IT IS SO ORDERED.



16 ~~UNITED STATES DISTRICT JUDGE~~

17 November 8, 2018

18 DATED: _____

19 CAM FERENBACH
U.S. MAGISTRATE JUDGE